

# Schools Face Sunday Punch Injury Suit

TR E MAY 12 1960

A \$15,000 damage suit has been filed in Alameda County Superior Court accusing the Oakland Unified School District of failing to prevent a student altercation which resulted in a broken jaw for one student.

The complaint was filed by Attorneys James G. and William H. Quinn on behalf of William McMenemy, vice president of the Western Title Guarantee Company, who lives at 4121 Laguna Ave.

McMenemy charges in the complaint that his 16-year-old son, James, received a "Sunday punch" from one of a gang of boys who surrounded him in the recreation area of the Oakland High School last Sept. 23.

The complaint said that young McMenemy's jaw was broken in three places when he refused to "get down on his knees" and wipe a spot of milkshake off one of the other youth's shoes.

Here's the way it happened, according to the complaint:

Young McMenemy accidentally spilled some milkshake on the shoe of Shelton Perkins, 1430 Ninth Ave. and he apologized and walked away.

A short time later he was accosted by "six or seven" youths and one of them told him to get down on his knees and wipe the milkshake from the Perkin boy's shoes.

When he refused, the youths "made menacing gestures" and while he was distracted by their movements another youth, Edwin E. McNeal, 15, of 2322 23rd Ave., "sneaked up behind" and hit him in the jaw, the complain said.

Police records show that two others involved in the fracas were John Woodard, 17, of 1600 East 21st St., and Robert Lee Outlaw, 17, of 1924 Eighth Ave. All the youths

were picked up for juvenile investigation.

The complaint says that young McMenemy was out of school three weeks because of his injuries and subsequently transferred to an Alameda high school.

The suit charges that the school district was negligent in not providing adequate supervision. The complaint says there are only two teachers assigned to the area dur-

ing the lunch periods for more than 1,000 students.

The complaint further charges that school authorities "knew" that many of the Oakland High School students have juvenile records and that authorities "knew" that there "had been many fights and disturbances" at the school over the past two years.

The elder McMenemy also asks the court to award him \$557.88 for medical expenses.